



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

March 1, 2024

BY ECF

Hon. Jesse M. Furman
U.S. District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: In re Subpoena *Duces Tecum* issued to the U.S. Attorney's Office for the Southern District of New York in connection with *People of the State of New York v. Trump*, Index No. 71543-23 (Sup. Ct. N.Y. Cnty.), 24-MC-97

Dear Judge Furman:

We respectfully submit this application to the Court in its capacity as the District Judge assigned to Part I. This application relates to criminal matters also assigned to this Court: *United States v. Cohen*, No. 18 Cr. 602 (JMF) (S.D.N.Y.), and *United States v. Cohen*, 18 Cr. 850 (JMF) (S.D.N.Y.).

This Office has received a subpoena *duces tecum* ("Subpoena") from counsel representing the defendant in *People of the State of New York v. Trump*, Index No. 71543-23 ("*People v. Trump*"), seeking production of records relating to the federal government's investigation and prosecution of Michael Cohen. Pursuant to the Department of Justice's *Touhy* regulations, 28 U.S.C. § 16.21 *et seq.*, the U.S. Attorney for this District has authorized disclosure of certain records responsive to the Subpoena, subject to a Privacy Act and Protective Order that incorporates the provisions of the Protective Order entered in *People v. Trump* on May 8, 2023.

This Office respectfully requests that the Court enter the attached proposed Privacy Act and Protective Order, which has been reviewed and consented to by counsel for the defendant and counsel for the People of the State of New York in *People v. Trump*. We have also provided notice of this application and the proposed Privacy Act and Protective Order to Mr. Cohen's counsel.

We thank the Court for its consideration of this request.

Very truly yours,

DAMIAN WILLIAMS
United States Attorney

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Encl.

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